

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
EDWARD A. GIVEN,)	
)	
Petitioner,)	
)	
v.)	Civil Action No. 05-11663-NMG
)	
ROBERT MURPHY,)	
)	
Respondent.)	
_____)	

JOINT MOTION FOR SCHEDULING ORDER

Petitioner Edward A. Given and Respondent Robert Murphy (the “Parties”) hereby jointly move the Court for a Scheduling Order establishing dates by which the Parties may submit memoranda addressing the merits of Mr. Given’s petition for a writ of habeas corpus.

The Parties respectfully request that the Court establish the following briefing schedule:

- Mr. Given may file a memorandum of law in support of his petition for a writ of habeas corpus within 90 days of Respondent’s filing of his Supplemental Answer and the trial transcripts from Petitioner’s state-court civil commitment hearing;¹
- Respondent may file a memorandum of law in opposition to the petition for a writ of habeas corpus within 90 days of Mr. Given’s filing of his memorandum of law; and
- Mr. Given may file a reply memorandum within 30 days of Respondent’s filing of his memorandum of law.

WHEREFORE, the Parties respectfully request that the Court allow this Motion, and enter a Scheduling Order establishing the proposed briefing schedule for the Parties to submit memoranda addressing the merits of whether a writ of habeas corpus should issue in this case.

¹ The Parties note that a motion to impound to these materials remains pending. *See* Respondent Robert Murphy’s Unopposed Motion to Impound Supplemental Answer and State-Court Transcripts, filed September 1, 2006 (docket entry # 18); *see also* Local Rule 7.2(d) (requiring parties to await a ruling on a motion to impound “prior to submi[tt]ing the actual material sought to be impounded”).

Respectfully submitted,

EDWARD A. GIVEN,

By his attorney,

/s/ David Hirsch
David Hirsch (BBO # 600915)
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October 20, 2006

Respectfully submitted,

ROBERT MURPHY,

By his attorney,

THOMAS F. REILLY
ATTORNEY GENERAL

/s/ Scott A. Katz
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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF), including David Hirsch, counsel for Petitioner Edward A. Given in this matter.

/s/ Scott A. Katz
Scott A. Katz